

# Congress of the United States

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## ***NEWS RELEASE***

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### **Report: RR Crossing Deaths Increasing *Oberstar, Brown, Lautenberg call for increased safety effort***

WASHINGTON—Fatal collisions at grade crossings are increasing, and many crossing accidents are going unreported and uninvestigated, according to a new report from the Department of Transportation's Office of the Inspector General. The report was released today by Rep. James L. Oberstar (Minn.), Ranking Democratic Member on the House Transportation and Infrastructure Committee, Rep. Corrine Brown (Fla.), Ranking Democrat on the Subcommittee on Railroads, and Sen. Frank Lautenberg (N.J.), a leading member of the Senate Committee on Commerce, Science, and Transportation on rail issues.

Oberstar, Brown, and Lautenberg, along with former Sen. Ernest Hollings (S.C.) and current Senate Commerce Committee Co-Chairman Daniel Inouye (Hawaii), requested the study following articles published in *the New York Times* on July 11 and 12, 2004. The articles identified several problems with the reporting and investigation of grade crossing accidents, maintenance of warning devices, and control of vegetation at crossings. The report (MH-2006-06) is the first of two audits stemming from that request.

The report shows that while fatal accidents at rail crossings were reduced by 40 percent between 1994 and 2004, the trend has reversed. In 2004, grade crossing collisions rose from 2,963 to 3,045 and the number of fatalities jumped from 332 to 368.

"These increases and the upward trend in train and highway traffic indicate that more needs to be done to improve grade crossing safety," the report states.

Other key findings include:

- Railroads failed to report 21 percent of grade crossing collisions to the National Response Center immediately, which in effect precluded the Federal Government from being able to decide whether or not to conduct an investigation after a crossing collision had occurred.

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## **RAIL CROSSING SAFETY**

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- The FRA investigated few accidents. The FRA investigated only 9 of the 3,045 collisions that occurred in 2004. From 2000 to 2004, the FRA investigated only 13 percent of the most serious crossing collisions.
- Even though railroad accident reports attributed more than 90 percent of grade crossing collisions to motorists, from 2000 through 2004, FRA did not routinely review locomotive event recorder data, police reports, and other sources of information to determine the causes of the collisions or the need for further investigation.
- FRA made limited use of its regulatory enforcement authority in assessing civil penalties to encourage compliance with federal safety regulations that failed to properly inspect and maintain grade crossings.
- Inspection data from 2000 through 2004 show that only 5 percent of 7,490 critical safety defects attributable to railroads were recommended for violations.
- From 2000 through 2004, FRA inspectors identified 2,692 critical defects where railroad employees failed to repair grade crossing warning systems "without undue delay," as required. Of those identified, only 67 or about 2.5 percent were recommended for violations.
- FRA has a limited capacity to investigate the approximately 3,000 crossing collisions that occur each year; for example, only 55 of about 400 Federal inspectors are assigned to inspect the 63,387 warning signal systems at grade crossings.

"Given the 2004 increase in collisions and fatalities, it is apparent that FRA needs to take a proactive oversight approach to further reduce grade crossing accidents by clarifying its reporting requirements, obtaining and analyzing independent accident data, and increasing enforcement of existing safety regulations in the areas that pose the greatest threat to public safety," the report continues.

"The figures speak for themselves," said Oberstar. "Railroad crossing safety requires constant vigilance. We can never be satisfied that the problem has been solved, no matter how much progress we make. It is a constant battle."

"These unnecessary grade crossing accidents have been going on for far too long," added Brown. "We must make sure that everyone responsible for RR safety is doing their part to put an end to grade crossing accidents."

Oberstar and Brown are preparing railroad safety legislation based on the IG's findings.

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